

Senate Resolution 80

By: Senators Thomas of the 2nd, Schaefer of the 50th, Zamarripa of the 36th, Grant of the 25th, Hamrick of the 30th and others

ADOPTED**A RESOLUTION**

Authorizing the granting of nonexclusive easements for operation and maintenance of facilities, utilities and ingress and egress, in, on, over, under, upon, across, or through property owned by the State of Georgia in Baldwin, Banks, Burke, Chatham, Douglas, Fulton, and Newton counties, Georgia; to repeal conflicting laws; and for other purposes.

WHEREAS, the State of Georgia is the owner of certain real property located in Baldwin, Banks, Burke, Chatham, Douglas, Fulton, and Newton counties, Georgia; and

WHEREAS, the Alltel Communications, Victor M. Corral, Georgia Power, Chatham County, the City of Savannah, and 1998 Augustus Partners, LP, desire to operate and maintain facilities, utilities and ingress and egress in, on, over, under, upon, across, or through a portion of said property; and

WHEREAS, these facilities, utilities and ingress and egress in, on, over, under, upon, across, or through the above-described state property have been requested and/or approved by the Department of Juvenile Justice, the Department of Natural Resources, the Department of Defense, the Department of Human Resources, the Department of Corrections, the Department of Technical and Adult Education, and the Geo. L. Smith II Georgia World Congress Center with respect to property under the jurisdiction of their respective departments.

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

ARTICLE I**SECTION 1.**

That the State of Georgia is the owner of the hereinafter described real property in Baldwin County, and the property is in the custody of the Department of Juvenile Justice, hereinafter referred to as the "easement area" and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 2.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Alltel Communications, or its successors and assigns, a nonexclusive easement for the operation and maintenance of a telecommunications equipment site in, on, over, under, upon, across, or through the easement area for the purposes of maintaining, repairing, replacing, inspecting and operating a telecommunications equipment site together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in the City of Milledgeville, Baldwin County, Georgia, and on the grounds of the Bill E. Ireland Youth Development Campus and is more particularly described as follows:

"That portion and that portion only as shown in yellow on a plat of survey dated February 20, 2004, prepared by James R. McDougald and on file in the offices of the State Properties Commission

and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval.

SECTION 3.

That the above-described premises shall be used solely for the purposes of installing, maintaining, repairing, replacing, inspecting, and operating said telecommunications equipment site.

SECTION 4.

That Alltel Communications shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper operation and maintenance of said telecommunications equipment site.

SECTION 5.

That, after Alltel Telecommunications has put into use the telecommunications equipment site this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Alltel Communications, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the utility shall become the property of the State of Georgia or its successors and assigns.

SECTION 6.

That no title shall be conveyed to Alltel Communications and, except as herein specifically granted to Alltel Communications, all rights, title, and interest in and to said easement area are reserved to the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Alltel Communications.

SECTION 7.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the state s use or intended use of the easement area, it may grant a substantially equivalent nonexclusive easement to allow placement of the removed or relocated facilities across the alternate site, under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Alltel Communications shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and approves payment by the State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the amount of a written estimate provided by Alltel Communications. Upon written request, the State Properties Commission, in its sole discretion, may permit the relocation of the facilities to an alternate site on state owned land so long as the removal and relocation is paid by the party or parties requesting such removal at no cost and expense to the State of Georgia.

SECTION 8.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system, of a county with respect to the county road system, or of a municipality with respect to the city street system. Grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement area.

SECTION 9.

That the easement granted to Alltel Communications shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 10.

That the consideration for such easement shall be for the fair market value, but not less than \$650.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interests of the State of Georgia.

SECTION 11.

That this grant of easement shall be recorded by the grantee in the Superior Court of Baldwin County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 12.

That the authorization in this resolution to grant the above-described easement to Alltel Communications shall expire three years after the date that this resolution becomes effective.

SECTION 13.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE II

SECTION 14.

That the State of Georgia is the owner of the hereinafter described real property in Banks County, and the property is in the custody of the Department of Natural Resources, hereinafter referred to as the "easement area" and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 15.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Victor M. Corral, or his successors and assigns, a nonexclusive easement for the operation and maintenance of ingress and egress in, on, over, under, upon, across, or through the easement area for the purposes of maintaining, repairing, replacing, inspecting, and operating ingress and egress together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in land lot 227 of the 10th district of Banks County, Georgia, and is more particularly described as follows:

"That portion and that portion only as shown in yellow on a plat of survey dated June 29, 2000, prepared by Samuel L. Duvald and on file in the offices of the State Properties Commission"

and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval.

SECTION 16.

That the above-described premises shall be used solely for the purposes of installing, maintaining, repairing, replacing, inspecting, and operating said ingress and egress.

SECTION 17.

That Victor M. Corral shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper operation and maintenance of said ingress and egress.

SECTION 18.

That, after Victor M. Corral has put into use the ingress and egress for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State

of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Victor M. Corral, or his successors and assigns, shall have the option of removing his facilities from the easement area or leaving the same in place, in which event the easement shall become the property of the State of Georgia or its successors and assigns.

SECTION 19.

That no title shall be conveyed to Victor M. Corral and, except as herein specifically granted to Victor M. Corral, all rights, title, and interest in and to said easement area are reserved to the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Victor M. Corral.

SECTION 20.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the state s use or intended use of the easement area, it may grant a substantially equivalent nonexclusive easement to allow placement of the removed or relocated facilities across the alternate site, under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Victor M. Corral shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and approves payment by the State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the amount of a written estimate provided by Victor M. Corral. Upon written request, the State Properties Commission, in its sole discretion, may permit the relocation of the facilities to an alternate site on state owned land so long as the removal and relocation is paid by the party or parties requesting such removal at no cost expense to the State of Georgia.

SECTION 21.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system, of a county with respect to the county road system, or of a municipality with respect to the city

street system. Grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for his lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in his use of the easement area.

SECTION 22.

That the easement granted to Victor M. Corral shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 23.

That the consideration for such easement shall be for the fair market value, but not less than \$650.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interests of the State of Georgia.

SECTION 24.

That this grant of easement shall be recorded by the grantee in the Superior Court of Banks County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 25.

That the authorization in this resolution to grant the above-described easement to Victor M. Corral shall expire three years after the date that this resolution becomes effective.

SECTION 26.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE III

SECTION 27.

That the State of Georgia is the owner of the hereinafter described real property in Burke County, and the property is in the custody of the Department of Defense, hereinafter referred

to as the "easement area" and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 28.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of an electrical distribution line in, on, over, under, upon, across, or through the easement area for the purposes of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating an electrical distribution line together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in land lots 60 and 62 in the City of Waynesboro, Burke County, Georgia, and is more particularly described as follows:

"That portion and that portion only as shown marked in yellow on a drawing prepared by Georgia Power Company, and being DWE# 303011001324 and on file in the offices of the State Properties Commission"

and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval.

SECTION 29.

That the above-described premises shall be used solely for the purposes of planning, constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating said electrical distribution line.

SECTION 30.

That Georgia Power Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, operation, and maintenance of said electrical distribution line.

SECTION 31.

That, after Georgia Power Company has put into use the electrical distribution line for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges,

powers, and easement granted herein. Upon abandonment, Georgia Power Company, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia, or its successors and assigns.

SECTION 32.

That no title shall be conveyed to Georgia Power Company, and, except as herein specifically granted to Georgia Power Company, all rights, title, and interest in and to said easement area are reserved to the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Georgia Power Company.

SECTION 33.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the state s use or intended use of the easement area, it may grant a substantially equivalent nonexclusive easement to allow placement of the removed or relocated facilities across the alternate site, under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Georgia Power Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and approves payment by the State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the amount of a written estimate provided by Georgia Power Company. Upon written request, the State Properties Commission, in its sole discretion, may permit the relocation of the facilities to an alternate site on state owned land so long as the removal and relocation is paid by the party or parties requesting such removal at no cost and expense to the State of Georgia.

SECTION 34.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system, of a county with respect to the county road system, or of a municipality with respect to the city

street system. Grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement area.

SECTION 35.

That the easement granted to Georgia Power Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 36.

That the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interests of the State of Georgia.

SECTION 37.

That this grant of easement shall be recorded by the grantee in the Superior Court of Burke County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 38.

That the authorization in this resolution to grant the above-described easement to Georgia Power Company shall expire three years after the date that this resolution becomes effective.

SECTION 39.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE IV**SECTION 40.**

That the State of Georgia is the owner of the hereinafter described real property in Chatham County, and the property is in the custody of the Department of Human Resources, hereinafter referred to as the "easement area" and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 41.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Chatham County, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of a drainage facility on, over, under, upon, across, or through the easement area for the purposes of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating a drainage facility together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in the 6th GMD of Chatham County, Georgia, and is more particularly described as follows:

"Those portions and those portions only as shown in yellow on a Department of Transportation right of way map being sheets 11, 11a and 16 of project NH-171-1(4) prepared by Jordan, Jones and Goulding, dated January 7, 2000 and on file in the offices of the State Properties Commission"

and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval.

SECTION 42.

That the above-described premises shall be used solely for the purposes of planning, constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating said drainage facility.

SECTION 43.

That Chatham County shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, operation, and maintenance of said drainage facility.

SECTION 44.

That, after Chatham County puts into use the drainage facility for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Chatham County, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia or its successors and assigns.

SECTION 45.

That no title shall be conveyed to Chatham County and, except as herein specifically granted to Chatham County, all rights, title, and interest in and to said easement area are reserved to the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Chatham County.

SECTION 46.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system, of a county with respect to the county road system, or of a municipality with respect to the city street system. Grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement area.

SECTION 47.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the state s use or intended use of the easement area, it may grant a substantially equivalent nonexclusive easement to allow placement of the removed or relocated facilities across the alternate site, under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Chatham County shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or

relocation is to be for the sole benefit of the State of Georgia and approves payment by the State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the amount of a written estimate provided by Chatham County. Upon written request, the State Properties Commission, in its sole discretion, may permit the relocation of the facilities to an alternate site on state owned land so long as the removal and relocation is paid by the party or parties requesting such removal at no cost and expense to the State of Georgia.

SECTION 48.

That the easement granted to Chatham County shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interests of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 49.

That the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interests of the State of Georgia.

SECTION 50.

That this grant of easement shall be recorded by the grantee in the Superior Court of Chatham County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 51.

That the authorization in this resolution to grant the above-described easement to Chatham County shall expire three years after the date that this resolution becomes effective.

SECTION 52.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE V

SECTION 53.

That the State of Georgia is the owner of the hereinafter described real property in Chatham County, and the property is in the custody of the State Properties Commission, hereinafter referred to as the "easement area" and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 54.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the City of Savannah, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of a sanitary sewer line in, on, over, under, upon, across, or through the easement area for the purposes of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating a sanitary sewer line together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in the 8th GMD of Chatham County, Georgia, and is more particularly described as follows:

"That portion and that portion only as shown highlighted in yellow on a plat of survey dated April 12, 2004 and revised May 12, 2004 prepared by Steve R. Waters and all being on file in the offices of the State Properties Commission"

and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval.

SECTION 55.

That the above-described premises shall be used solely for the purposes of planning, constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating said sanitary sewer line.

SECTION 56.

That the City of Savannah shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, operation, and maintenance of said sanitary sewer line.

SECTION 57.

That, after the City of Savannah has put into use the sanitary sewer line for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers,

and easement granted herein. Upon abandonment, the City of Savannah, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia or its successors and assigns.

SECTION 58.

That no title shall be conveyed to the City of Savannah, and, except as herein specifically granted to the City of Savannah, all rights, title, and interest in and to said easement area are reserved to the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to the City of Savannah.

SECTION 59.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system, of a county with respect to the county road system, or of a municipality with respect to the city street system. Grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement area.

SECTION 60.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the state s use or intended use of the easement area, it may grant a substantially equivalent nonexclusive easement to allow placement of the removed or relocated facilities across the alternate site, under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and the City of Savannah shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and approves payment by the State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the amount of a written estimate provided by the City of Savannah. Upon written

request, the State Properties Commission, in its sole discretion, may permit the relocation of the facilities to an alternate site on state owned land so long as the removal and relocation is paid by the party or parties requesting such removal at no cost and expense to the State of Georgia.

SECTION 61.

That the easement granted to the City of Savannah shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interests of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 62.

That the consideration for such easement shall be for \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interests of the State of Georgia.

SECTION 63.

That this grant of easement shall be recorded by the grantee in the Superior Court of Chatham County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 64.

That the authorization in this resolution to grant the above-described easement to the City of Savannah shall expire three years after the date that this resolution becomes effective.

SECTION 65.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE VI

SECTION 66.

That the State of Georgia is the owner of the hereinafter described real property in Douglas County, and the property is in the custody of the Department of Technical and Adult

Education, hereinafter referred to as the "easement area" and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 67.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of guy wires in, on, over, under, upon, across, or through the easement area for the purposes of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating guy wires together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in land lot 49 of the 1st district 5th section in the City of Douglasville, Douglas County, Georgia, and is more particularly described as follows:

"That portion and that portion only as shown in yellow on a drawing prepared by Georgia Power Company and showing dimension of 45 feet by 10 feet and on file in the offices of the State Properties Commission"

and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval.

SECTION 68.

That the above-described premises shall be used solely for the purposes of planning, constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating said guy wires.

SECTION 69.

That Georgia Power Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, operation, and maintenance of said guy wires.

SECTION 70.

That, after Georgia Power Company has put into use the guy wires for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and

easement granted herein. Upon abandonment, Georgia Power Company, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia or its successors and assigns.

SECTION 71.

That no title shall be conveyed to Georgia Power Company, and, except as herein specifically granted to Georgia Power Company, all rights, title, and interest in and to said easement area are reserved to the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Georgia Power Company.

SECTION 72.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system, of a county with respect to the county road system, or of a municipality with respect to the city street system. Grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement area.

SECTION 73.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the state s use or intended use of the easement area, it may grant a substantially equivalent nonexclusive easement to allow placement of the removed or relocated facilities across the alternate site, under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Georgia Power Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and approves payment by the State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the amount of a written estimate provided by Georgia Power Company. Upon

written request, the State Properties Commission, in its sole discretion, may permit the relocation of the facilities to an alternate site on state owned land so long as the removal and relocation is paid by the party or parties requesting such removal at no cost and expense to the State of Georgia.

SECTION 74.

That the easement granted to Georgia Power Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 75.

That the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interests of the State of Georgia.

SECTION 76.

That this grant of easement shall be recorded by the grantee in the Superior Court of Douglas County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 77.

That the authorization in this resolution to grant the above-described easement to Georgia Power Company shall expire three years after the date that this resolution becomes effective.

SECTION 78.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE VII

SECTION 79.

That the State of Georgia is the owner of the hereinafter described real property in Fulton County, and the property is in the custody of the Geo. L. Smith II Georgia World Congress Center, hereinafter referred to as the "easement area," and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 80.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of an overhead transmission line in, on, over, under, upon, across, or through the easement area for the purposes of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating an overhead transmission line together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in Land Lot 82 of the 14th district, City of Atlanta, Fulton County, Georgia, and is more particularly described as follows:

"That portion and that portion only as shown in yellow on a plat of survey entitled 'Northwest – Davis Street Transmission Line Property of State of Georgia,' prepared by Georgia Power Company, dated June 22, 2004, and on file in the offices of the State Properties Commission"

and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval.

SECTION 81.

That the above-described premises shall be used solely for the purposes of planning, constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating said overhead transmission line.

SECTION 82.

That Georgia Power Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, operation, and maintenance of said overhead transmission line.

SECTION 83.

That, after Georgia Power Company has put into use the overhead transmission line for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Georgia Power Company, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia or its successors and assigns.

SECTION 84.

That no title shall be conveyed to Georgia Power Company, and, except as herein specifically granted to Georgia Power Company, all rights, title, and interest in and to said easement area are reserved to the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Georgia Power Company.

SECTION 85.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system of a county with respect to the county road system, or of a municipality with respect to the city street system. Grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement area.

SECTION 86.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the state s use or intended use of the easement area, it may grant a substantially equivalent nonexclusive easement to allow placement of the removed or relocated facilities across the alternate site, under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Georgia Power Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal

or relocation is to be for the sole benefit of the State of Georgia and approves payment by the State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the amount of a written estimate provided by Georgia Power Company. Upon written request, the State Properties Commission, in its sole discretion, may permit the relocation of the facilities to an alternate site on state owned land so long as the removal and relocation is paid by the party or parties requesting such removal at no cost and expense to the State of Georgia.

SECTION 87.

That the easement granted to Georgia Power Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interests of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 88.

That the consideration for such easement shall be for the fair market value and such further consideration and provisions as the State Properties Commission may determine to be in the best interests of the State of Georgia.

SECTION 89.

That this grant of easement shall be recorded by the grantee in the Superior Court of Fulton County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 90.

That the authorization in this resolution to grant the above-described easement to Georgia Power Company shall expire three years after the date that this resolution becomes effective.

SECTION 91.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE VIII

SECTION 92.

That the State of Georgia is the owner of the hereinafter described real property in Newton County, and the property is in the custody of the Department of Technical and Adult Education, hereinafter referred to as the "easement area," and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 93.

That the State of Georgia, acting by and through its State Properties Commission, may grant to 1998 Augustus Partners, L. P., or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of a storm drain in, on, over, under, upon, across, or through the easement area for the purposes of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating a storm drain together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area are located in land lot 295 of the 9th district of Newton County, Georgia, and is more particularly described as follows:

"That portion and that portion only as shown marked in yellow on a plat of survey entitled '1998 Augustus Partners, L.P.' dated December 23, 2003, and prepared by Fred Wilson Long and being on file in the offices of the State Properties Commission" and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval.

SECTION 94.

That the above-described premises shall be used solely for the purposes of planning, constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating said storm drain.

SECTION 95.

That 1998 Augustus Partners, L. P., shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, operation, and maintenance of said storm drain.

SECTION 96.

That, after 1998 Augustus Partners, L. P., has put into use the storm drain for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, 1998 Augustus Partners, L. P., or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia or its successors and assigns.

SECTION 97.

That no title shall be conveyed to 1998 Augustus Partners, L. P., and, except as herein specifically granted to 1998 Augustus Partners L. P., all rights, title, and interest in and to said easement area are reserved to the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to 1998 Augustus Partners, L. P.

SECTION 98.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system, of a county with respect to the county road system, or of a municipality with respect to the city street system. Grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement area.

SECTION 99.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the state s use or intended use of the easement area, it may grant a substantially equivalent

nonexclusive easement to allow placement of the removed or relocated facilities across the alternate site, under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and 1998 Augustus Partners, L. P., shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and approves payment by the State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the amount of a written estimate provided by 1998 Augustus Partners, L. P. Upon written request, the State Properties Commission, in its sole discretion, may permit the relocation of the facilities to an alternate site on state owned land so long as the removal and relocation is paid by the party or parties requesting such removal at no cost and expense to the State of Georgia.

SECTION 100.

That the easement granted to 1998 Augustus Partners, L. P., shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interests of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 101.

That the consideration for such easement shall be for the fair market value, but not less than \$650.00, and such further consideration and provisions as the State Properties Commission may determine to be in the best interests of the State of Georgia.

SECTION 102.

That this grant of easement shall be recorded by the grantee in the Superior Court of Newton County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 103.

That the authorization in this resolution to grant the above-described easement to 1998 Augustus Partners, L. P., shall expire three years after the date that this resolution becomes effective.

SECTION 104.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE IX**SECTION 105.**

That the State of Georgia is the owner of the hereinafter described real property in Chatham County, and the property is in the custody of the Department of Natural Resources, hereinafter referred to as the "easement area" and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 106.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the City of Savannah, Chatham County, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of a riverwalk dock facility in, on, over, under, upon, across, or through the easement area for the purpose of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating a riverwalk dock facility together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in the 2nd GM District, City of Savannah, Chatham County, Georgia, and containing a total of 3.28 acres and is more particularly described as:

"That portion and that portion only as shown marked in yellow on a plat of survey entitled 'Jurisdictional Lands of the Savannah River and the Village at Oglethorpe Landing, LLC' dated February 23, 2005 and prepared by Boyce L. Young, Georgia Registered Land Surveyor #2282 and being on file in the offices of the State Properties Commission," and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval.

SECTION 107.

That the above-described premises shall be used solely for the purpose of planning, constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating said riverwalk dock facility.

SECTION 108.

That the City of Savannah shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, operation, and maintenance of said riverwalk dock facility.

SECTION 109.

That, after the City of Savannah has put into use the riverwalk dock facility for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, the City of Savannah, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall become the property of the State of Georgia or its successors and assigns.

SECTION 110.

That no title shall be conveyed to the City of Savannah and, except as herein specifically granted to the City of Savannah, all rights, title, and interest in and to said easement area is reserved to the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to the City of Savannah.

SECTION 111.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system, of a county with respect to the county road system, or of a municipality with respect to the city street system. Grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement area.

SECTION 112.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the state s use or intended use of the easement area, it may grant a substantially equivalent nonexclusive easement to allow placement of the removed or relocated facilities across the alternate site, under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and the City of Savannah shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and approves payment by the State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the amount of a written estimate provided by the City of Savannah. Upon written request, the State Properties Commission, in its sole discretion, may permit the relocation of the facilities to an alternate site on state owned land so long as the removal and relocation is paid by the party or parties requesting such removal at no cost and expense to the State of Georgia.

SECTION 113.

That the easement granted to the City of Savannah shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interests of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 114.

That the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interests of the State of Georgia.

SECTION 115.

That this grant of easement shall be recorded by the grantee in the Superior Court of Chatham County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 116.

That the authorization in this resolution to grant the above-described easement to the City of Savannah shall expire three years after the date that this resolution becomes effective.

SECTION 117.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of easement area.

ARTICLE X**SECTION 118.**

That all laws or parts of laws in conflict with this resolution are repealed.